

Service Date: September 19, 1994

FINAL ORDER NO. 6330

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF Doug Williams)	
dba W & W Trucking , Forsyth, Montana,)	
application for a Montana Intrastate)	Docket No. T-94.54.PCN
Certificate of Public Convenience)	Order No. 6330
and Necessity.)	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On May 19, 1994, **Doug Williams, dba W & W Trucking**, P.O. Box 654, Forsyth, MT 59327, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B - New and used house trailers, mobile homes, and modular homes designed to be drawn by motor vehicles, with and without accessories and contents (owners' furniture, fixtures, and personal property) in tow-away service between all points and places in Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Garfield, Golden Valley, Hill, Judith Basin, Meagher, McCone, Musselshell, Park, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Treasure, Valley, Wheatland, Wibaux, and Yellowstone Counties, Montana.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public June 8, 1994. That notice said in pertinent part:

If no written protests are received by June 28, 1994, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were filed by Dillard A. Wilson dba Scotty's Mobilehome Transport

Service, Vaughn, Montana; Ray and Ella M. Lystad dba RaEll's Mobile Moving, Glendive, Montana; Montana Mobile Home Transport, Inc., Billings, Montana; and Doug and Mary Keeler dba Keeler's Mobile Home Transport, Great Falls, Montana.

4. Notice of Public Hearing was issued July 18, 1994, with hearing scheduled for Wednesday, August 17, 1994, in Billings, Montana. Prior to that hearing, Applicant restrictively amended the application and all protests were withdrawn. The hearing was vacated. The amendments are incorporated into the Order granting authority herein.

5. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 6th day of September, 1994, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-94.54.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Doug Williams dba W & W Trucking**, Forsyth, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class C - New and used house trailers, mobile homes, and modular homes designed to be drawn by motor vehicles, with and without accessories and contents (owners' furniture, fixtures, and personal property) in tow-away service between all points and places in Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Garfield, Golden Valley, Hill, Judith Basin, Meagher, McCone, Musselshell, Park, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Treasure, Valley, Wheatland, Wibaux, and Yellowstone Counties, Montana.

Limitations: 1) All transportation services must originate or terminate in Yellowstone County, Montana. 2) Transportation services are limited to the accounts of Hillside Village Sales (Billings, MT) and Northland Homes Corporation (Billings, MT) and/or their successors in interest.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 6th day of September, 1994, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.